

Minutes of the Regular Meeting of the

**STATE BOARD OF EDUCATION
2500 NORTH LINCOLN BOULEVARD
STATE BOARD ROOM, SUITE 1-20
OKLAHOMA CITY, OKLAHOMA**

March 24, 2016

The State Board of Education met in regular session at 1:05 p.m. on Thursday, March 24, 2016, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 12:45 p.m. on Wednesday, March 23, 2016.

The following were present:

Ms. Terrie Cheadle, Chief Executive Secretary
Mr. Brad Clark, General Counsel

Members of the State Board of Education present:

State Superintendent Joy Hofmeister, Chairperson of the Board
MG (R) Lee Baxter, Lawton
Ms. Cathryn Franks, Roosevelt
Mr. Daniel Keating, Tulsa
Mr. William "Bill" Flanagan, Claremore
Mr. Robert J. Ross, Oklahoma City

Members of the State Board of Education not present:

Mr. William "Bill" Price, Oklahoma City

Others in attendance are shown as an attachment.

**CALL TO ORDER
AND
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education regular meeting to order at 1:05 p.m. and welcomed everyone to the meeting. Ms. Cheadle called the roll and ascertained there was a quorum.

**PLEDGE OF ALLEGIANCE, OKLAHOMA
FLAG SALUTE, AND MOMENT OF SILENCE**

Superintendent Hofmeister led Board Members and all present in the Pledge of Allegiance to the American Flag, a salute to the Oklahoma Flag, and a moment of silence.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Hofmeister said Governor Fallin signed the approval of the \$51 million supplemental to Common Education on Wednesday. We are grateful for the Resolutions passed by the Senate and House, Legislators leadership, and the Governor's proposal to provide funds to school districts during these difficult budget/economic times.

The EngageOK Summer Conference is canceled for this year due to budget concerns. However, our plan is to take the conference on the road in order to provide the needed opportunities. Conference teams will bring information to regional sites which will allow participants to attend closer to their areas.

Approximately 1,964 Oklahoma educators collaborated on the Academic Standards with the Standards Steering Committee and State Department of Education (SDE). The work of the committee is nearing the completion of the standards, and as of yesterday the legislative deadline was questioned as to whether the standards were in effect today or Monday. Once the greenlight is given our Oklahoma standards are ready to go.

BOARD ADMINISTRATIVE

**February 25, 2016 Regular Meeting Minutes
of the State Board of Education Approved**

Board member Flanagan moved to approve the minutes of the February 25, 2016, regular meeting. Board member Keating seconded the motion. The motion carried with the following votes: Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, abstain; General Baxter, abstain; and Superintendent Hofmeister, yes.

First-Year Superintendents

First-year superintendents attending the meeting were Bud Rattan, Haywood Public Schools; Justin Locwood, Prague Public Schools; P. Torrey Gaines, Wewoka Public School; and Alicia Ketcher, Rocky Mountain Public Schools.

CONSENT DOCKET Approved

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2015-2016 school year and other requests:

- (a) **Allow Two School Days in a 24-Hour Period – 70 O. S. § 1-111**
Antlers Public Schools, Pushmataha County
Lexington Public Schools, Cleveland County
Mangum Public schools, Greer County
- (b) **Library Media Specialist Certificate Exemption – 70 O.S. § 3-126**
Tulsa Public Schools, Tulsa County
- (c) **General Fund for Capital Expenditures – 70 O.S. § 1-117 and OAC 210:25-5-4**
Sayre Public Schools, Beckham County
Fargo Public Schools, Ellis County
Frontier Public Schools, Noble County
Kiowa Public Schools, Pittsburg County
Hammon Public Schools, Roger Mills County
Waynoka Public Schools, Woods County
Freedom Public Schools, Woods County
Taloga Public Schools, Dewey County
- (d) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates (list attached) – 70 O. S. § 6-187

Superintendent Hofmeister asked to table Consent Docket item 6. (c) to present at another time.

Brad Clark, General Counsel, State Board of Education (SBE) advised Board Members the items will be further examined and ready to present at the April SBE meeting. All schools have been consulted and are agreed on tabling until April.

Board member Franks moved to approve the Consent Docket. Board member Flanagan seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; and Superintendent Hofmeister, yes.

GOVERNMENT AFFAIRS

Legislative Update

Carolyn Thompson, Director, Government Affairs, presented updates on 2016 legislative bills statistics/deadlines/requests that included a review of House and Senate bills on teacher shortage, Teacher and Leader Effectiveness Evaluation System (TLE), Red Tape Task Force, curriculum, testing, and supplemental appropriations.

Board members asked questions regarding teacher pay and school district deregulations/exceptions.

FINANCIAL SERVICES

FY2016 General Fund Balance Penalties for Shawnee Public schools, Pottawatomie, County - Tabled

Superintendent Hofmeister tabled Agenda item 8. (a).

Amend the adjusted Fiscal Year 2016 Budget as a result of the supplemental appropriation received - Approved

Ms. Thompson presented a request to amend the adjusted fiscal year 2016 budget which was the result of the Senate Bill 1572 appropriating \$51 million to Common Education On Wednesday, November 23, Governor Fallin signed the bill for the SBE to allocate funds to the Flexible Benefit Allowance-\$16,640,942.60 million and the Financial Support of Public Schools-\$34, 359,057.40.

Board member Flanagan moved to approve the allocation of \$ 16,640,942.60 to the flexible benefit account and \$34,359,057.40 to the Financial Support of Schools. Board member Ross seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; and Superintendent Hofmeister, yes.

LEGAL SERVICES

Public Comments by Grant-Goodland Public School District Administration, school patrons, and Board of Education members relating to the possible full-state intervention

Individuals signed up to address/discuss Grant-Goodland Public School District state intervention included Dennis Lee, Jimmie Thomas, Pamela Adamson, Keipher King, Julian Jackson, and James Albert Campbell.

Full state intervention of Grant-Goodland Dependent School District

David Kinney, General Counsel, presented a recommendation request to provide oversight and supervision to implement six corrective actions in the Grant-Goodland School District for the remainder of the 2015-2016 school year and through the 2016-2017 school year. Mr. Kinney reviewed the corrective action plan including a requirement that the school board provide the State Board of Education with a plan of corrective action by May 1, 2016.

Board members asked questions and discussed district corrective action and how it might affect state aid/students.

Board member Flanagan moved to adopt the SDE plan for Grant-Goodland through the end of the 2016-2017 school year.

Mr. Kinney said the intervention plan starts today through the end of the 2016-2017 school year or July 1, 2017.

Board member Ross seconded the motion. The motion carried with the following votes: Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Administrative Rule Adoption

Lori Murphy, Assistant Legal Counsel, presented the following administrative rule amendments pursuant to the *Oklahoma Administrative Procedures Act*, 75 O.S. § 250 *et seq.*:

Title 210. State Department of Education
Chapter 10. School Administration and Instructional
Services Subchapter 13. Student Assessment
**210:10-13-22. Implementation of a system of school
improvement and accountability [AMENDED]**

Board member Baxter moved to approve the amended rule. Board member Ross seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; and Superintendent Hofmeister, yes.

Title 210. State Department of Education
Chapter 15. Curriculum and Instruction
Subchapter 37. Workplace Safety Training in Schools [NEW]
210:15-37-1. Workplace Safety Training in Schools [NEW]

Board member Flanagan moved to approve the new rule. Board member Ross seconded the motion. The motion carried with the following votes: Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Title 210. State Department of Education
Chapter 35. Standards for Accreditation of Elementary,
Middle Level, Secondary, and Career and Technology
Schools Subchapter 3. Standards for Elementary, Middle
Level, Secondary, and Career and Technology Schools
**210:35-3-228. Required application criteria to be considered
for requests for deregulations, waivers of statutory
requirements, and participation in the School District
Empowerment Program [AMENDED]**

Board member Flanagan moved to approve the amended rule. Board member Franks seconded the motion. The motion carried with the following votes: Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Board member Keating requested Brad Clark, General Counsel, State Board of Education, provide the number of Red Tape Task Force recommendations and number implemented recommendations.

Title 210. State Department of Education
Chapter 40. Grants and Programs-in-Aid
Subchapter 87. Rules for Payments to Charter Schools
210:40-87-5. Charter school application [AMENDED]
210:40-87-7. Charter school contracts [NEW]
**210:40-87-8. Appeals for sponsorship to the State Board
of Education [NEW]**
**210:40-87-9. Application for renewal of charter school
contracts [NEW]**

Board member Flanagan moved to approve the amended rule. Board member Ross seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; and Superintendent Hofmeister, yes.

PUBLIC COMMENT

Sherry Woolwine, School Psychologist-Marlow Coop, signed up to address/discuss school psychologist and psychometrists; and advocacy for children/families.

LEGAL SERVICES

Resolve into Executive Session pursuant to 25 O.S. 2001 §§ 307(B) (7) and (8) for the purpose of discussing possible settlement of pending proceedings to revoke the teacher certificates of Marsha Gore and Amanda Bristow - 70 O.S. § 3- 104

Convene into Executive Session

Board member Flanagan moved to convene into Executive Session at 3:01 p.m. Board member Baxter seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; and Superintendent Hofmeister, yes.

Brad Clark, General Counsel, State Board of Education, and David Kinney, General Counsel, State Department of Education remained in the Executive Session.

Return to Open Session

Board member Flanagan moved to return to Open Session at 3:35 p.m. Board member Ross seconded the motion.

Superintendent Hofmeister stated David Kinney, General Counsel, State Department of Education (SDE), was asked to remain in the Executive Session, and no action was taken in Executive Session.

The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; and Superintendent Hofmeister, yes.

Board member Franks moved to reject the settlement agreement offer by **Amanda Bristow**. Board member Ross seconded the motion. The motion carried with the following votes: Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, nay; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Board member Franks moved to reject the settlement agreement offer by **Marsha Gore**. Board member Ross seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, nay; Mr. Ross, yes; Mr. Keating, yes; and Superintendent Hofmeister, yes.

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ADJOURNMENT

There being no further business Board members unanimously agreed to adjourn the meeting at 3:35 p.m.

The next regular meeting of the State Board of Education will be held on Thursday, April 28, 2016, at 9:30 p.m. The meeting will convene at the State Department of Education-State Board Room, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

Joy Hofmeister, Chairperson of the Board

Terrie Cheadle, Chief Executive Secretary